

Restriction to one of the following inventions has been required under 35 USC 121:

I. Claims 1-2, drawn to a biopolymer marker having SEQ ID NO. 1, classified in class 436, subclass 86, for example.

II. Claims 3-28, drawn to method and kit for identifying a biopolymer marker, classified in class 435, subclass 7.1, for example.

III. Claims 29-32, drawn to antibody, classified in class 436, subclass 548, for example.

IV. Claims 33-35, drawn to method of treating a disease state, classified in class 424, subclass 9.2, for example.

Applicants hereby elect, without traverse, the Group II invention, for further prosecution on the merits.

It is understood that claims 1,2 and 29-35 drawn to the non-elected invention, will remain pending, albeit withdrawn from further consideration in this application.

#### SUMMARY

This case is related, in claim format, to claims contained in S.N. 09/846,352. After discussions with the Examiner, and subsequent to a Restriction Requirement and subsequent rejoinder under *Ochai*, Applicants have received an indication of that the following claims would receive favorable consideration: